

Applicant : Christer O. Andreasson
Appl. No. : 10/086,183
Examiner : Julie Bichngoc Lieu
Docket No. : 706737.38

It clearly is improper, for an Examiner to reject claims in an application based on a published application or other public material that has a priority date after that of the application before the Examiner. '623 clearly has a filing date of October 9, 2001, and most of the disclosure therein did not exist in provisional application 60/248,454, and was added in the October 9, 2001, filing.

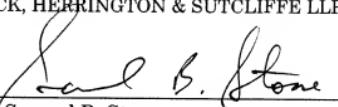
The undersigned, in over 50 years of practice as an Examiner and as a patent attorney, has never encountered such a rejection.

The Commissioner is authorized to charge Orrick's Deposit Account No. 150665 for any fees necessary in connection with this response.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: 5-2-07

By: 
(Samuel B. Stone
Reg. No. 19,297)

Orrick, Herrington & Sutcliffe LLP
4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710